

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

CASE NO.: 5:09-CR-216-8FL

UNITED STATES OF AMERICA	)	
	)	
vs.	)	MEMORANDUM OF AUTHORITY
	)	IN SUPPORT OF MOTION TO SEAL
ZIYAD YAGHI,	)	
	)	
Defendant.	)	

NOW COMES the Defendant, by and through undersigned counsel, and moves to seal the Motion to Suppress, as the Motion to Suppress being filed this date discloses evidence derived from a FISA search and the material obtained is deemed “sensitive but unclassified” and cannot be disclosed to third parties except in accordance with a Protective Order. It would make no sense to require disclosures to third parties only in accordance with a protective order and yet allow disclosure to the public at large through a motion filed in the routine manner of other motions of a less sensitive nature. For the reasons set forth herein and for those reasons in past memorandums, notably D.E. 487 which is incorporated herein by reference, it is requested that the Motion to Seal Defendant’s Motion to Suppress be allowed.

Respectfully submitted this 10<sup>th</sup> day of December, 2010.

/s/J. Douglas McCullough  
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## **CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that he has this day served a copy of the foregoing pleading upon the following parties to this case by depositing a copy of the same in the United States mail bearing sufficient postage or electronically:

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Respectfully submitted this 10<sup>th</sup> day of December, 2010.

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